

ARBITRATION

Convention signed at Washington April 20, 1908
Senate advice and consent to ratification April 22, 1908
Ratified by Spain May 11, 1908
Ratified by the President of the United States May 28, 1908
Ratifications exchanged at Washington June 2, 1908
Entered into force June 2, 1908
Proclaimed by the President of the United States June 3, 1908
Extended by agreements of May 29, 1913,¹ and March 8, 1919²
Expired June 2, 1923

35 Stat. 1957; Treaty Series 493

The Government of the United States of America and the Government of His Majesty the King of Spain, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;³

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the Undersigned to conclude the following Convention:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement

¹ TS 586, *post*, p. 657.

² TS 644, *post*, p. 666.

³ TS 392, *ante*, vol. 1, p. 230.

defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Spain shall be subject to the procedure required by her laws.

ARTICLE III

The present Convention is concluded for a period of five years dating from the day of the exchange of the ratifications.

ARTICLE IV

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of Spain. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and Spanish languages at Washington, this twentieth day of April in the year one thousand nine hundred and eight.

ELIHU ROOT
R. PIÑA Y MILLET